

**UNITED STATES SIXTH DISTRICT COURT,
NORTHERN DISTRICT,
WESTERN DIVISION**

Robin J. Custer
156 E. Center St.
Fostoria, OH 44830

CASE NO:

and

Mark A. Custer
848 N. Main St.
Fostoria, OH 44830

JUDGE

Plaintiffs,

-vs-

Raymond G. Sigler
15 Old Greenville Turnpike
Port Jervis, NY 12771

**COMPLAINT FOR
MONETARY DAMAGES;
DEMAND FOR JURY TRIAL**

and

Two Rivers Grille, Inc
611 Pennsylvania Ave,
Matamoras, PA 18336

Defendants.

Now comes Plaintiffs Robin J. Custer and Mark A. Custer, by and through their attorney, Kurt A. Dauterman and alleges and avers as follows:

JURISDICTION

1. Plaintiffs Robin J. Custer and Mark A. Custer since September 8, 2020 resided in Seneca County, State of Ohio, at 156 E. Center St., Fostoria, OH 44830.
2. Defendant Raymond G. Sigler resides in Orange County, State of New York at 15

Old Greenville Turnpike, Port Jervis, NY 12771.

3. Defendant Two Rivers Grille, Inc. is located in Pike County, State of Pennsylvania with a principal place of business of 611 Pennsylvania Ave, Matamoras, PA 18336.
4. On September 8, 2020, Plaintiffs were operating a 2007 Harley Davidson motorcycle northbound on Pennsylvania Ave (aka US Route 209), near the intersection of 7th Street in Matamoras, Pennsylvania.
5. On September 8, 2020, Defendant Sigler, was driving a 2012 Chevrolet motor vehicle eastbound on 7th Street in Matamoras, Pennsylvania.
6. On September 8, 2020, shortly prior to 11:43 a.m., Defendant Sigler stopped his motor vehicle at the intersection of 7th Street and Pennsylvania Ave in Matamoras, Pennsylvania.
7. On September 8, 2020, shortly prior to 11:43 a.m., Defendant Sigler entered his motor vehicle into the northbound lane of Pennsylvania Ave from eastbound 7th Street intersection in Matamoras, Pennsylvania.
8. On September 8, 2020, shortly prior to 11:43 a.m., Defendant Sigler's motor vehicle suddenly and without warning struck Plaintiffs' northbound motorcycle in the intersection of 7th Street and Pennsylvania Ave in Matamoras, Pennsylvania.
9. On September 8, 2020, shortly prior to 11:43 a.m., Plaintiffs were thrown from their motorcycle after Defendant Sigler's motor vehicle suddenly and without warning struck Plaintiffs' northbound motorcycle in the intersection of 7th Street and Pennsylvania Ave in Matamoras, Pennsylvania.

10. On September 8, 2020, shortly prior to 11:43 a.m., Plaintiff Robin J. Custer suffered permanent and significant personal bodily injury after being thrown from the motorcycle struck by Defendant Sigler's motor vehicle in the intersection of 7th Street and Pennsylvania Ave in Matamoras, Pennsylvania.
11. On September 8, 2020, shortly prior to 11:43 a.m., Plaintiff Mark A. Custer suffered personal bodily injury after being thrown from the motorcycle struck by Defendant Sigler's motor vehicle in the intersection of 7th Street and Pennsylvania Ave in Matamoras, Pennsylvania.
12. On September 8, 2020, shortly prior to 11:43 a.m., Plaintiffs' suffered property damages to their motorcycle after Defendant Sigler's motor vehicle struck Plaintiffs' northbound motorcycle in the intersection of 7th Street and Pennsylvania Ave in Matamoras, Pennsylvania.
13. Defendant Sigler was determined to be at fault for operating his motor vehicle when he struck Plaintiffs' motorcycle because he proceeded without clearance after stopping on September 8, 2020.
14. On September 8, 2020, at approximately 11:43 a.m., Defendant Sigler was employed by Defendant Two Rivers Grille, Inc. and was performing work for Defendant Two Rivers Grille, Inc. by delivering meals to customers in Pennsylvania, New York or New Jersey.
15. Defendant Two Rivers Grille, Inc., failed to properly train, supervise and or manage their employee's behavior that resulted in Plaintiffs' personal injuries.
16. Plaintiff Mark A. Custer remains in Seneca County but moved to 848 N. Main St.,

Fostoria, OH 44830 in April, 2022.

COUNT ONE

17. Plaintiff Robin J. Custer incorporates herein all of the above allegations 1-16 as if the same were fully rewritten herein.
18. Plaintiff Robin J. Custer suffered significant and severe physical and emotional injuries as a direct and proximate result of Defendants' negligence.
19. As a Direct and Proximate result of Defendant's negligence Plaintiff Robin J. Custer sustained severe and permanent physical and emotional injuries or harm in excess of \$75,000.00.
20. Plaintiff Robin J. Custer anticipates further such pain, suffering and other losses in the future.

COUNT TWO

21. Plaintiff Mark A. Custer incorporates herein all of the above allegations 1-20 as if the same were fully rewritten herein.
22. As a Direct and Proximate result of Defendant's negligence Plaintiff Mark A. Custer sustained severe and permanent physical and emotional injuries.

COUNT THREE

23. Plaintiffs Robin J. Custer and Mark A. Custer incorporate herein all of the above allegations 1-22 as if the same were fully rewritten herein.
24. Defendants' negligent acts and omissions while operation of a motor vehicle was the direct and proximate cause for both Plaintiffs' to suffer loss of income since September 8, 2020.

COUNT FOUR

25. Plaintiffs Robin J. Custer and Mark A. Custer incorporate herein all of the above allegations 1-24 as if the same were fully rewritten herein.
26. Defendants' negligent acts and omissions while operation of a motor vehicle was the direct and proximate cause for both Plaintiffs' to suffer loss of consortium since September 8, 2020.

WHEREFORE, Plaintiff prays for a monetary judgment against Defendants in excess of \$75,000.00, interest at the maximum allowable rate per annum from the date that this cause of action accrued, trial by jury, and their costs of Court expended herein.



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JURY DEMAND

Plaintiff demands a trial by jury.



Kurt A. Dauterman
Attorney for Plaintiff